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Viewing cable 08BOGOTA3855, TRIP TO CURVARADO HIGHLIGHTS COMMUNITY DIVISIONS,

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Reference ID	Created	Released	Classification	Origin
08BOGOTA3855	2008-10-22 20:27	2011-08-30 01:44	CONFIDENTIAL	Embassy Bogota

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C O N F I D E N T I A L BOGOTA 003855

SIPDIS

E.O. 12958: DECL: 08/26/2008
TAGS: [PTER](#) [PGOV](#) [PREL](#) [ECON](#) [SOCI](#) [CO](#)
SUBJECT: TRIP TO CURVARADO HIGHLIGHTS COMMUNITY DIVISIONS,
SECURITY CONCERNS

REF: A. BOGOTA 239
[1](#)B. BOGOTA 618

SUMMARY

¶1. (C) The GOC effort to restore land--which has been illegally occupied by palm oil firms--to the displaced communities of Jiguamiando and Curvarado continues to move slowly due to community divisions and legal hurdles. Despite a military presence in the region, security is also a serious concern as shown by the murder of community member UcoHoyos by unknown gunmen on October 14. Community members charge that African palm oil firms--with the backing of some in the GOC--are paying some community members in an effort to divide the communities and protect the palm firms' interests. GOC officials told us the legal issues in the land dispute have largely been resolved in the communities' favor, but said the communities now need to obtain a judicial order instructing the security forces to remove the firms from their land. End summary.

¶2. (U) PolCounselor and Poloff traveled by helicopter to the remote Camelia Humanitarian Zone in Curvarado municipality on October 10 to meet with representatives of the Afro-Colombian communities of Jiguamiando and Curvarado in Choco department. The meeting was organized by the Inter-ecclesiastic Commission for Justice and Peace (Justicia y Paz). The two communities dispute control of the land with thirteen African palm firms--some of which have been tied to former paramilitary leaders Vicente Castano and Freddy Rendon by the Prosecutor General's office (Fiscalia). The firms began exploiting the land after local residents fled paramilitary violence in 1997. Justicia y Paz has played a key role in organizing the communities and providing them legal counsel.

REMAINING STEPS TO LAND RESTITUTION

¶3. (U) The Superintendent of Notarization and Registration completed the resolutions revoking the palm oil company land titles (reftel A) in September, 2008. The GOC decided the next step is to map out what plots of land are currently being occupied, especially by palm oil plantations, to facilitate the removal of illegal occupiers and to monitor the return of the valuable palm land. A government and civic committee has completed this mapping work in Curvarado. Vice Minister of Interior and Justice (MOIJ) Maria Isabel Nieto said the process for mapping in Jiguamiando will start in November and will only take two weeks as Jiguamiando only has about 200 hectares of palm oil, as opposed to the 4500 hectares in Curvarado. She says half of the palm has already died from a disease.

¶4. (U) Nieto explained that MOIJ is also conducting a census of the communities, which will be conducted by consultant Andres Calderon, to determine who are the rightful inhabitants. Calderon told us his team completed consultations with the communities on the census methodology and decided that community leaders would review census forms and determine who was a true community member, citing documentation when possible. Calderon said the census would begin in November and end in three weeks. It would also involve traveling to neighboring communities to include displaced community members who had not yet returned to the area.

¶5. (C) Ministry of Agriculture (MinAg) Special Advisor Catalina Riveros said she is trying to convince the communities to file an extraordinary legal action to remove the illegal occupiers from the land. This legal request needs to be made by the communities themselves to a local court in Apartado. Nieto said she is confident this legal action will lead to a judicial order instructing the Colombian National Police (CNP) to remove the palm companies from the land, but conceded that an earlier attempt to obtain such a legal order by human rights group Justicia y Paz had

failed. She speculated that the affected plan firms are also using political influence to obstruct the on-going Fiscalía criminal investigation of their activities.

16. (C) ACurvarado councilman told us they distrust the

GOC, and in particular MinAg, due to ties between the palm oil companies and MinAg officials. A recent press report revealed ties between the Fiduagraria President Maria Fernanda Zuniga and the palm companies in the area. Zuniga served on the board of a palm company occupying land in Curvarado and her father is a shareholder in another. She denied wrongdoing, but later resigned. Nieto said the MOIJ disagrees with MinAg's insistence that the communities be urged to reach a deal with the palm firms that would allow continued African palm cultivation. Many community members do not want to be associated with the crop.

HEIGHTENED COMMUNITY DIVISIONS

17. (SBU) Calderon said internal community tensions would likely escalate before the upcoming community council elections in December. A community councilman said Curvarado has 23 minor councils that work under the major council; Jiguamiando has 11 minor councils. He noted that the elections would be particularly important, since the elected leaders would play a key role in community decisions on what to do with the lucrative palm oil plantations. Nieto said the census is important, because it will prevent outsiders on the palm oil payroll from participating in the elections and electing councilmen favorable to the plan firms. The community council representative from Jiguamiando told us they thought the MOIJ census would help deter outside intervention, but noted that they had "already conducted their own census."

18. (C) Medellin-based UNHCHR official Felipe Sanchez said the communities of Jiguamiando and Curvarado are divided between those who support Justicia y Paz and those who do not. He has received complaints that Justicia y Paz has brought in mestizos from Cordoba to occupy the Afro-colombian communal lands. Uraba CNP Commander Jorge Murillo sharply criticized Justicia y Paz for being conflictive, refusing to file formal complaints against aggressors, or to deal with local authorities. He said they are organizing land invasions supported by "foreign agitators." Justicia y Paz representative Sister Cecilia Naranjo claimed that the paras and palm oil companies have started a smear campaign against them.

19. (C) Nieto told us the anti-Justicia y Paz group is led by palm oil-paid Manuel Moya, who also had "long-standing paramilitary ties." Nieto said MOIJ used to treat Moya and associates as community representatives, but due to recent confirmation of his palm oil ties, it would not longer do so. A Colombian news program Noticias Uno reported that former General RitoAlejodel Rio, a former military commander in Uraba accused of paramilitary ties, was recorded conversing from jail with former MOIJ Minister Fernando Londono. MOIJ Nieto said the recording implicated Londono in the palm firms' seizure of the communities' land, and also indicated that Moya and associates AdanQuinto, Jaime Beitar and Graciano Blandon have engaged in a smear campaign against Justicia y Paz in part because of the group's human rights complaints against the Uraba-based 17th Brigade.

110. (C) In July 2008, the Embassy received a communication from the self-described "real" community members of Jiguamiando and Curvarado--signed by Moya, Quinto, Beitar, Blandon and others--accusing Justicia y Paz of bringing in mestizo outsiders and misleading the communities. MAPP/OAS Representative in Apartado Eleuterio Cahuec told us Quinto negotiated the sale of land to Urapalma, Multifruit and other palm firms behind the communities' back in the late 1990s. He claimed Manuel Moya--with Accion Social's support--is playing this role now. He said the palm companies' strategy is clearly to divide and conquer the communities. MAPP/OAS

refused an invitation by Accion Social to participate in the trips to Puerto Lleras and Pueblo Nuevo, preferring to travel to these communities in a less-politicized context.

¶11. (C) Accion Social's Mario Gaviria, brother of presidential advisor Jose Obdulio Gaviria, told us Justicia y Paz brought in peasants from Cordoba who are now occupying the land to the detriment of the rights of the original inhabitants led by Moya and Beitar. He said many community members would like to work with the palm companies to continue to produce palm oil for a profit, but feel they are blocked by Justicia y Paz which has its own ideological agenda. Gaviria said Accion Social is committed to promoting

social and economic development, but reiterated that their work has a "political" component--to win the hearts and minds of the communities. He has identified 450 displaced Afro-Colombian families from Curvarado/Jiguamiando who now live in Apartado. These families' rights must also be protected, Gaviria said.

SECURITY REMAINS AN ISSUE

¶12. (U) Sister Cecilia Naranjo Curvarado expressed concern about threats to Justicia y Paz and other community leaders. On October 14, community leader Uco Alberto Hoyos Rivas was gunned down near Cano Manso in Curvarado. Hoyos was a witness in the paramilitary murder of Orlando Valencia, another Afro-Colombian leader and advocate for the return of the displaced to their lands. Hoyos was not accompanied by his MOIJ protection program bodyguards. MOIJ has requested information from the Department of Administrative Security (DAS), the agency responsible for his protection, on how this occurred. This was the second attempt on his life; Polo off visited him in the hospital after he was shot in September ¶2007.

¶13. (C) Community members from Jiguamiando and Curvarado voiced concern over military and police collusion with the palm oil companies. Medellin-based CNP Colonel Cardenas told us notorious narcotrafficker and former paramilitary Daniel Rendon (Don Mario) has a significant presence in the Cuvarado region. 15th Brigade Colonel Mejia told us his unit maintains 150 troops at all times around the humanitarian zones in Jiguamiando and Curvarado. The Brigade does not interfere in land issues and makes efforts to build positive relationships with the community, including training officers on working in humanitarian zones. CNP Uraba Commander Murillo said the CNP has no outposts in these remote communities, but maintains 70-person detachments in Belen de Bajira and Rio Sucio. The two posts are about 25 kilometers from Cano Manso, where Hoyos was killed. Jiguamiando totals 549 square kilometers, with few roads. Curvarado is 460 square kilometers in size.

BROWNFIELD

=====CABLE ENDS=====